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In re Application of :
GRAEBNER :
PCT No.: PCT/DE03/00808 : DECISION ON
Application No.: 10/506,317 :
Int. Filing Date: 07 March 2003 : RENEWED PETITION
Priority Date: 08 March 2002 :
Atty. Docket No.: 040648-US : UNDER 37 CFR 1.137(b)
For: DRIVE DISK FOR HIGH PERFORMANCE :
FRICTION PAIRINGS :

This decision is in response to applicant's renewed petition to revive under 37 CFR 1.137(b) filed 08 July 2008 in the above-captioned application. The petition is hereby **GRANTED** as follows:

As detailed in the decision mailed 09 June 2008, 37 CFR 1.137(b) permits the filing of a petition to revive an abandoned application where the abandonment resulted from an unintentional delay. A grantable petition under this section must include: (1) the required reply, unless previously filed; (2) the petition fee required by law; (3) a statement that the "entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional;" and (4) any terminal disclaimer and fee required pursuant to 37 CFR 1.137(c). It is noted that item (4) does not apply to the present application.

Applicant previously satisfied items 1 and 2.

With respect to item (3), applicant has presently provided a declaration from foreign counsel for the applicant supporting the contention of the original petition that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. As such, it is proper to grant applicant's renewed petition at this time. This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision and the charging of all applicable fees.

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